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FILED Jan 15 20 13
Candace Fisher
SANDERS COUNTY CLERK OF DISTRICT COURT
BY B. Bakum
DEPUTY

**MONTANA TWENTIETH JUDICIAL DISTRICT COURT,
SANDERS COUNTY**

WILLIAM JEFFERY EDWARDS,

Plaintiff,

v.

NELSON TRUCKING CO., Inc.,

Defendant.

CAUSE No.

DV 13-03

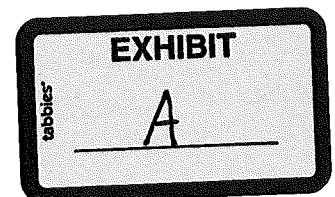
JUDGE

D. KIM CHRISTOPHER

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

Plaintiff William Jeffery Edwards ("Edwards"), by and through his attorneys of record, states as follows for his Complaint against Defendant:

1. Defendant Nelson Trucking Co., Inc., ("Nelson Trucking") is a Washington Corporation that regularly utilizes the roads and highways of Montana in conducting its business. At all relevant times, Nelson Trucking employed Ronald Lee Herrell as a truck driver. Mr. Herrell was Nelson Trucking's agent and/or employee, and was acting in the course and scope of his agency and/or employment with Nelson Trucking at all relevant times.



2. On or about April 27, 2010, Edwards was driving his 2006 Freightliner tractor and a trailer southbound on Highway 28 in Sanders County, Montana.

3. At the same time, Nelson Trucking's agent/employee (Mr. Herrell) was driving behind Edwards, also southbound on Highway 28 in Sanders County, Montana. Mr. Herrell was driving a 1994 Kenworth tractor with trailer owned by Nelson Trucking.

4. Edwards entered a road construction zone on Highway 28 and slowed due to poor visibility.

5. Nelson Trucking's agent/employee (Mr. Herrell) entered the road construction zone traveling at speeds beyond the posted speed limit and traveling too fast for conditions.

6. Nelson Trucking's agent/employee (Mr. Herrell) crashed the Nelson Trucking vehicle into the rear of Edwards's tractor and trailer.

7. Nelson Trucking's agent/employee (Mr. Herrell) owed Edwards legal duties, including the duty to use reasonable care in driving.

8. Nelson Trucking's agent/employee (Mr. Herrell) breached those duties owed to Edwards.

9. As a result of these breaches, Edwards incurred physical and emotional injuries, lost personal property, and incurred other consequential damages.

10. Nelson Trucking is legally responsible for the acts of its agent/employee, Mr. Herrell.

WHEREFORE, Plaintiff William Jeffery Edwards prays for judgment against Defendant Nelson Trucking Co., Inc., for all damages to which he is entitled under

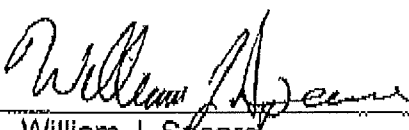
Montana law in such categories and in such amounts as will be furnished to the Defendants in accordance with applicable Montana law and/or Rules of Civil Procedure.

DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury of all of the issues in this action.

DATED this 14th day of January, 2013.

SPEARE LAW FIRM, P.C.

By: 
William J. Speare
Attorneys for Plaintiff

JAN 16 2013

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SEC. ☐
PARA. ☐
ATTY. ☐

**MONTANA TWENTIETH JUDICIAL DISTRICT COURT,
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JUDGE _____

SUMMONS

THE STATE OF MONTANA SENDS GREETINGS TO THE ABOVE-NAMED
DEFENDANT: NELSON TRUCKING CO, INC.

You are hereby summoned to answer the Complaint and Demand for Jury Trial in this action which is filed in the office of the Clerk of this Court, a copy of which is herewith served upon you, and to file your answer and serve a copy thereof upon the Plaintiff's attorney within twenty-one (21) days after service of this summons, exclusive of the day of service; and in case of your failure to appear or answer, Judgment will be taken against you by default for the relief demanded in the Complaint and Demand for Jury Trial

WITNESS my hand and the seal of said court this 15 day of January, 2013.

CANDACE FISHER, Clerk

(COURT SEAL)

By: Bernadette Jakubny
Deputy Clerk

MONTANA TWENTIETH JUDICIAL DISTRICT COURT, SANDERS COUNTY

William Jeffery Edwards

Plaintiff(s),

vs.

Nelson Trucking Co., Inc.

Defendant(s).

Case No.: DV 13-03

AFFIDAVIT OF SERVICE



State of Washington
County of King ss.

The undersigned, being first duly sworn on oath deposes and says: That he/she is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen years, not a party to or interested in the above entitled action and competent to be a witness therein.

That on 09/19/2013 at 10:25 AM, at the address of 9777 Martin Luther King Jr. Way South, Seattle, within King County, WA, the undersigned duly served the following document(s): Summons; Complaint and Demand for Jury Trial in the above entitled action upon Nelson Trucking Co., Inc., by then and there personally delivering 1 true and correct copy(ies) of the above documents into the hands of and leaving same with Damon Davis, Payroll Manager/Office Assistant to the President who is authorized to accept service on behalf of the above.

Desc: Sex: Male - Skin: Black - Hair: Black - Age: 40 - Height: 6' 0" - Weight: 200 lbs

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Date: 9/24/13

TOTAL:

\$80.00



X

J. Devitt

Registered Process Server

License #: 1030264 - Exp 6/2/2014

Seattle Legal Messenger Services, LLC

4201 Aurora Avenue North, #200

Seattle, WA 98103

206.443.0885

Subscribed and sworn to before me on
this 24 day of September, 2013.

Peter Valente

Notary Public